

Notice of Allowability

Application No.

10/731,192

Applicant(s)

GOLD ET AL.

Examiner

Alexander Grosz

Art Unit

3673

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to AMPT DATED 3/10/05.
2. ☒ The allowed claim(s) is/are 1-7, 9-14, 16, 17, 20-22 RENUMBERED AS 1-18
3. ☒ The drawings filed on 06/07/05 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 06/07/05 (FORMAL DRAWINGS NEEDED)
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 06/07/05
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ms. Reilly on 6/6/05.

On page 8, line 7, change "13" to -33-.

Formal drawings will be timely filed.

Cancel claim 15.

In claim 1, line 6, after "layer" insert:

-, said head support member-; in line 7, after "member" insert:

-, said head support member adapted to be releasably-; in line 9, change "," to:

-with the aid of inner and outer separable fastener means, located such that when the outer fastener means connect the head support to the base layer, a broader U-shaped opening is provided, and when the inner fastener means connect the head support to the base layer, a narrower U-shaped opening is provided, with the narrower U-shaped opening,-.

In claim 16, change lines 8-10 to:

-The cushioned member adapted to be releasably fastened to the base layer with the aid of inner and outer separable fastener means located such that when the outer fastener means connect the cushioned member to the base layer, a broader U-shaped

Art Unit: 3673

opening is provided, and when the inner fastener mean connect the head support to the base layer, a narrower U-shaped opening is provided, with opposite lower sides of the cushioned member projecting downwardly and the distal ends of the cushioned member converging inwardly.-

In claim 20, line 3, after "on" delete "said".

In the "abstract", after the last line insert:

-The fastener means that releasably attach the support member to the base layer are located in inner and outer positions, with the outer locations providing a broader U-shaped opening, and the inner locations providing a narrower U-shaped position, with terminal ends of the support member converging inwardly.-

The following is an examiner's statement of reasons for allowance: On 6/06/05, Ms. Reilly and I discussed the invention, the claims and the crowded prior art of record, and agreed that there is no teaching or suggestion in the crowded prior art to position fastener means such that the now claimed broader and narrower U-shaped opening can be formed, with the narrower U-shaped opening mode having its terminal ends converging inwardly.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication should be directed to Alex Grosz at telephone number 571-272-7041.

Application/Control Number: 10/731,192

Page 4

Art Unit: 3673

Grosz/vs
June 10, 2005



ALEXANDER GROSZ
PRIMARY EXAMINER